



IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS

IN RE:	)	In Proceedings Under
	)	Chapter 7
CHEMETCO, INC.,	)	
	)	BK 01-34066
DEBTOR.	)	

STIPULATION FOR SETTLEMENT OF CLAIM  
(CLAIM NO. 452)

COMES NOW Donald M. Samson, Chapter 7 Trustee of the Bankruptcy Estate of Chemetco, Inc. ("Trustee") and Atlantis Equipment Corporation, ("Claimant"), by and through their respective counsel, and stipulate as follows:

RECITALS

1. On or about November 11, 2001, Chemetco, Inc. ("Debtor") filed for relief under Chapter 7 of the United States Bankruptcy Code.

2. Donald M. Samson is the appointed Trustee in the Debtor's bankruptcy case.

3. Claimant timely filed Claim No. 452 in the amount of \$1,478,723.78, based on theories of breach of contract and *quantum meruit* related to the manufacture and installation of pollution/emissions control equipment in 1997.

4. Trustee objected to Claim No. 452 arguing that Claimant had no enforceable agreement with Debtor and that *quantum meruit* relief is not appropriate under the facts and circumstances of the case.

5. Litigation of the dispute between the parties is likely to require extensive discovery, resulting in unduly burdensome costs to both Claimant and the bankruptcy estate.

6. Trustee and Claimant wish to resolve the matter without further litigation upon the terms and conditions stated herein.

{M0129953.1}

AGREEMENT

7. The Parties agree that Claimant shall be allowed a general unsecured claim in the amount of \$126,000.00. The remainder of Claim No. 452 is denied.

8. Within fourteen (14) days of the entry of this Stipulation, Trustee shall provide notice of this Agreement to: (a) interested parties receiving notice pursuant to the Court's Order of December 19, 2001 (approving a limited notice list for notice of matters relating to the sale and/or preservation of assets of the estate); and (b) to those interested parties requesting electronic notice of proceedings in this case.

9. If no objections are filed to this Agreement within twenty-one (21) days of service of notice, the Court shall enter an order approving this Agreement without further notice or hearing.

Dated: April 10, 2013

MATHIS, MARIFIAN & RICHTER, LTD.

By: /s/ Mary E. Lopinot

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